

# The Open Gov Guide

2024

Open  
Government  
Partnership





# Anti-Corruption

*Using Italy's OpenCoesione platform, over 25,000 young people have joined efforts to monitor public spending, an important accountability mechanism that can help increase competition for public contracts. Pictured: Alessandra Costarella and her classmates.*

# Lobbying

Lobbying is an essential component of democracy, as people must be able to talk directly to officials about issues of interest. Clear rules are needed, however, to ensure ethical interactions, encourage fairness of access to decision makers, and allow people to understand how decisions are being made. Lobbying regulations can set standards of conduct and mandate the collection and publication of data, such as who lobbyists are, which public officials they meet with, and how these meetings may have influenced decision-making.

### Open Gov Challenge

#### Anti-Corruption

With OGP's [2023-2028 Strategy](#), OGP members are set to work toward a number of aspirational thematic reforms through the [Open Gov Challenge](#). This section of the *Open Gov Guide* addresses Anti-Corruption.

**Challenge prompt:** Develop or strengthen a whole-of-government anti-corruption strategy or roadmap.

Where strategies or roadmaps exist, improve policy, implementation and interoperability (including through OGP) across the areas below:

- Beneficial ownership
- Open contracting
- Political finance and asset and interest disclosure
- Lobbying
- Extractive industry transparency

## Key Terms

- **Lobbying:** Lobbying is any [activity](#) carried out to influence a government or institution's policies and decisions in favor of a specific cause or outcome. Lobbying is a legitimate activity and an important part of the democratic process.
- **Lobbying data:** Key data elements include the following:
  - Unique identifiers for lobbyists and public officials
  - Clear identifying information for lobbying clients
  - Details on interactions between lobbyists and public officials
  - Details on lobbyists' goals
  - Date and time of interactions
  - Topic of interactions
  - Money spent on lobbyists' interactions
- **Lobbying register:** A digital register is where all individuals and organizations that engage in lobbying must sign up to conduct their lobbying activities. In many countries, officials will also record meetings.

## The Evidence

Lobbying regulations can make the policy process more transparent, participatory, and accountable to the public interest.

- [Public lobbying data](#) has been shown to support accountability by allowing oversight bodies and the public to flag conflicts of interest and corruption. This is especially effective when lobbying data is combined with political finance data and legislative voting records.
- Efforts to ensure [equal access](#) to decision makers can increase the number and diversity of interests in meetings between the public and government officials.
- [Judicial reviews](#) strengthen rule-making transparency and oversight by determining whether a government body reached an administrative decision through a legal, reasoned process.
- Allowing the public, civil society organizations, investors, and corporate shareholders to investigate interest groups increases public oversight of lobbying, as seen in the area of [climate lobbying](#).

## Reform Guidance

### Recommended Reforms

The recommendations below represent reforms that national and local governments, representatives of civil society organizations, and others can consider for their action plans and the [Open Gov Challenge](#). The reforms are categorized according to OGP’s principal values: transparency, civic participation, and public accountability. Reforms should be adapted to fit the domestic context, and involve and coordinate with other levels and branches of government.

Reforms across policy areas are also tagged by the estimated degree of difficulty in implementation. Though progress is often not linear, the recommendations have been categorized using these labels to give the reader a sense of how different reforms can work together to raise the ambition of open government approaches.

- **Foundational:** This tag is used for reforms that are the essential building blocks of a policy area. “Foundational” does not mean low ambition or low impact. These recommendations often establish basic legal and institutional structures.
- **Intermediate:** This tag is used for reforms that are more complex and often involve more coordination and outreach, such as with the public, between branches, agencies, and levels of government, or between countries.
- **Advanced:** This tag is used for reforms that close important loopholes to make existing work more effective and impactful. They are often about linking multiple databases or ensuring that oversight authorities can receive complaints from members of the public.

### FOUNDATIONS

- Create a legal framework for lobbying:** Require disclosure and reporting of lobbying information through digital means. Ideally, the law or regulations should take a broad, non-discriminatory, and non-punitive approach to disclosure to incentivize transparency and participation.
  - At minimum, publish the agendas of certain categories of high-ranking public officials online, including meetings with external organizations and interest groups, if such disclosures do not already exist.
  - Include as much range as possible in mandating disclosure and reporting. Ideally, the law should go beyond the national legislature—members of the executive branch, provincial and local government officials, and tribunal and judicial officials should also be considered for inclusion.
  - Include de facto lobbyists in disclosure requirements, such as charities, NGOs, think tanks, and religious organizations. Such reforms require safeguards to prevent requirements from being used to curtail civil rights and liberties.
  - Include a specific definition of “indirect lobbying” (such as through social media campaigns) and how it must be disclosed.
  - Require industry associations to disclose their lobbying activities.



## LOBBYING

- Create an oversight body:** Create an independent, mandated, and well-resourced oversight body or coordinated mechanism to manage and investigate lobbying rules.
  - Suggested management and investigation responsibilities:
    - Manage lobbying registration.
    - Review potential conflicts of interest.
    - Collect and disseminate the locations of proactively disclosed information.
    - Monitor compliance, including proactive verification and spot audits of reports.
    - Investigate possible violations and complaints.
    - Consult on and define further regulatory provisions.
  - Suggested outreach responsibilities:
    - Offer guidance and training to lobbyists and public officials on the application of relevant laws.
    - Analyze and publish reports on trends.
    - Raise awareness among the public and the profession on recent developments.
    - Promote best practices of lobbying transparency.
- Require double-entry reporting:** Require filing by both lobbyists and lobbied parties. This allows for verification of filings and an opportunity to identify omissions, which can then be investigated by an oversight body.

Civic Participation  
Public Accountability  
Legislature  
Foundational

## TRANSPARENCY

- Publish agendas:** Publish legislative and committee agendas to allow any interested party to assess the legislative process.
- Publish data in a timely manner:** Require the near-immediate filing of meetings. Where there are omissions or errors, the public should have the ability to flag those errors and request correction.
- Create and publish a unified lobby register:** Establish and maintain a comprehensive, freely accessible, and unified website containing clear identifying information for all existing lobbyists, reasons for visits, lobbying targets, and other regularly reported data. Most OGP countries do not have clear lobby registers. A few, however, are pioneers in the area and some have used their OGP action plans, specifically [France](#), [Ireland](#), and [Madrid \(Spain\)](#).

Transparency  
Public Accountability  
Legislature  
Advanced

Transparency  
Legislature  
Advanced

Transparency  
Civic Participation  
Legislature  
Intermediate

Transparency  
Executive  
Legislature  
Intermediate

## LOBBYING

- The lobbying register should include information on the following:
  - Lobbyist identity,
  - Subject matter of lobbying activities and outcomes sought,
  - Ultimate beneficiary of lobbying activities (where relevant),
  - Targeted institution and/or the public official concerned,
  - Type and frequency of lobbying activities,
  - Any supporting documentation shared with the public officials,
  - Lobbying expenditure, including in-kind (calculated based on set criteria, in cost bands if need be),
  - Sources of funding, per client and dossier,
  - Any political contributions, including in-kind contributions, and
  - Any prior roles as public officials held by the individual and/or family members, and any public funding received in such roles.

Transparency

Executive

Advanced

- Make data interoperable and reusable:** Ensure that all data includes unique identifiers for the lobbyist, the represented interests, and the purpose of the meeting. This allows for better tracking and comparison with other records, such as [government contracts](#).

- Publish regulatory and legislative “footprint” documents:** Collect and publish “[footprint](#)” documents for the public to access free of charge. These documents assemble all of the activities of a lobbying organization or interest group across different decision-making processes through use of common identifiers.

Transparency

Executive

Advanced

- These documents bring together information and data on corporations, lobbying, legislation or regulation, and political finance activity across jurisdictions and levels of government. They are an important tool to [increase trust](#).

## CIVIC PARTICIPATION

- Allow public participation in rule-making:** Allow the public access and opportunities to provide input related to mechanisms ensuring compliance with lobbying laws, as well as the ability to suggest amendments to existing rules.

Civic Participation

Legislature

Foundational

- Report on equality and diversity of access:** Regularly report on who takes part in legislative decision-making and what efforts have been made to reach out to a wider group of constituents and interested parties.

Transparency

Civic Participation

Legislature

Inclusion

Intermediate

## PUBLIC ACCOUNTABILITY

- Create a complaint mechanism:** Create a well-publicized complaint mechanism that allows anyone to report violations of lobbying ethics openly, confidentially, or anonymously. Involved parties should also be informed of outcomes of the complaint, subject to any privacy limitations.

Public Accountability

Legislature

Advanced

- Create a sanctions framework:** Create a framework in which lobbyists and public officials are subject to effective, proportionate sanctions for violating ethics and lobbying rules.

Public Accountability

Legislature

Advanced

## Examples of Reforms from OGP and Beyond

The following examples are commitments previously made within or beyond OGP that demonstrate elements of the recommendations made above. Lobbying commitments remain somewhat rare in OGP, with 22 members making 34 commitments over OGP's first twelve years. However, when OGP members do implement lobbying reforms, they tend to have significant results.

- **Chile Open Lobbying Data:** [Enacted](#) legislation to modernize its lobbying system, which led to the creation of a [lobbying website](#) where citizens can now access thousands of open data records on lobbying activity, hearings, travel, and donor information.
- **Estonia Tracking Influence through Lobbying Meetings:** [Began](#) publishing quarterly data on lobbying meetings with ministers and high-level public officials. Civil society and journalists have [begun](#) to use this data to track which interest groups have influenced policy processes.
- **France Mandatory Lobbying Register:** [Began](#) requiring the registration of lobbyists on a [portal](#) that is updated annually and in an open data format as part of a longer process to increase lobbying transparency. [Committed](#) to using the portal to provide transparency on how lobbying shapes decision-making on laws and regulations.
- **Ireland Mandatory Lobbying Register:** [Created](#) a mandatory, public lobbying [register](#) that allows citizens to search by dates of lobbyist registration, policy area, lobbying organization, and names of specific public officials.
- **Latvia Lobbying Transparency Regulations:** [Adopted](#) regulations, such as increasing the public's access to lobbying data and publishing information on the meetings of certain public officials, among other measures, which entered into force in early 2023.
- **Madrid, Spain Mandatory Lobbying Register:** [Created](#) a mandatory lobbying [register](#) to disclose any public meetings with the city council, which also allows the public to subscribe to alerts, view official calendars, and request meetings with their representatives. By January 2023, over 850 lobbyists had [registered](#).



### BEYOND OGP ACTION PLANS

- **Canada Lobbying Disclosure Requirements:** [Requires](#) lobbyists to disclose any communications meant to influence public officials, including “grassroots communication” such as social media, and to [publish](#) monthly communication reports that include their objectives, meetings with public officials, and specific policies targeted by their activities.
- **Germany Business Support for Lobbying Registry Legislation:** [Passed](#) a law in January 2022 to establish the country’s first lobbying register through advocacy from the Alliance for Lobbying Transparency coalition, which was formed with some of Germany’s most powerful business lobbies.
- **Italy Ministry-Specific Lobbying Registry:** Created a [registry](#) requiring lobbyists to first register before scheduling meetings with high-ranking officials in the Ministry of Economic Development. Published meeting agendas for the highest-ranked positions and registered over 1,300 lobbyists by September 2018.

### Active OGP Partners

The following organizations have recently worked on this issue in the context of OGP at the national or international level. They may have additional insights on the topic. Please note that this list is not exhaustive. If you are interested in national-level initiatives, please contact [research@opengovpartnership.org](mailto:research@opengovpartnership.org).

- [Access Info Europe](#)
- [Organisation for Economic Co-operation and Development \(OECD\)](#)
- [The Good Lobby](#)
- [Transparency International](#)

### Benchmarking Data

The [OGP 2023-2028 Strategy](#) sets out the [Open Gov Challenge](#) and aims to provide clear benchmarks for performance through reliable data.

While benchmarks for individual countries and *Open Gov Guide* recommendations are not yet integrated, for this chapter, interested individuals may rely on the following data sets:

- In collaboration with the **OGP Support Unit**, **AccessInfo Europe**, and **Transparency International**, the **Data for Development Network**’s Global Data Barometer collects information on whether lobbying data is available in open formats. Visualizations of this data are available on the [OGP website](#).
- OGP commitments on this topic can be found on the [Data Dashboard](#).

## Guidance and Standards

While the list below is not exhaustive, it aims to provide a range of recommendations, standards, and analysis to guide reform in this policy area.

- The 2022 **OGP Support Unit** report [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) includes a chapter on lobbying reform and the need for interoperability with other key political data.
- [Lobbyingtransparency.net](#) is a major collaboration between **Access Info**, **Sunlight Foundation**, **Transparency International**, and **Open Knowledge Foundation**, which promotes better lobbying rules through a three-pronged approach: transparency, equality of access, and ethics. The [International Standards for Lobbying Transparency](#) created through this collaboration set requirements for both public officials and lobbyists to follow.
- The **OECD Principles for Transparency and Integrity in Lobbying** are part of a larger body of work on lobbying carried out by the organization. The OECD has also recommended [Codes of Conduct for Lobbyists](#), and published a report titled [Lobbying in the 21st Century: Transparency, Integrity and Access](#).
- The **High Authority for Transparency in Public Life**, which monitors ethics and oversees lobbying in France, compiled a [list](#) of lobbying regulations across Europe (including for the European institutions) and in Canada, the United States, and Chile. This list can serve as a reference for the different regulatory models in use.
- **The Good Lobby tracker** collects best practices in the corporate political space based on voluntary initiatives, including ESG rating providers, sustainability metrics, and other standards such as that of the OECD listed above.
- The **United Nations Principles for Responsible Investment (UN PRI)**, a UN-supported network of private sector actors, has developed [recommendations](#) to create a policy environment that supports responsible lobbying. This includes recommendations related to [climate lobbying](#). The UN PRI also outlines a set of [common, voluntary standards](#), such as in quarterly or annual financial filings, though a growing number of governments and financial regulators are requiring such disclosures as part of regular corporate reporting requirements. Moreover, an increasing number of countries are also [empowering shareholders](#) to demand such disclosures.
- **Transparency International** has also made recommendations for expanding lobbying law coverage and disclosure to create a more comprehensive “[legislative footprint](#)” across the European Union. Transparency International has also published [recommendations](#) on lobbying-related commitments in OGP national action plans.